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 UNITED STATES OF AMERICA  
 7

8 **UNITED STATES DISTRICT COURT**  
 9 **SOUTHERN DISTRICT OF CALIFORNIA**

10	UNITED STATES OF AMERICA	)	Case No. 08-CR-0326-JLS
11	Plaintiff,	)	DATE: July 15, 2008
12	v.	)	TIME: 2:00 p.m.
13	RAFAEL ALONZO,	)	<b>NOTICE OF MOTION AND</b>
14	Defendant.	)	<b>MOTION TO FORFEIT BAIL</b>
15	<hr/>		

16 TO: W. SAMUEL HAMRICK, JR., CLERK OF THE COURT, AGENT FOR THE  
 17 OBLIGORS; THE MATERIAL WITNESS, MARIA HURTADO-ZABALETA, HER  
 ATTORNEY, REZA KERAMATI, AND THE SURETY, JESUS C. AGUILAR

18 PLEASE TAKE NOTICE that pursuant to Rule 46(f)(1), Federal Rules of Criminal  
 19 Procedure, and 18 U.S.C. §§ 3142, 3144, plaintiff, United States of America, will bring a motion to  
 20 forfeit bail on for hearing before this court in the courtroom of the Honorable Louisa S. Porter, United  
 21 States Magistrate Judge, United States Courthouse, 940 Front Street, San Diego, California, on July 15,  
 22 2008 at 2:00 p.m. or as soon thereafter as counsel can be heard.

23 The United States moves this Court to forfeit the bond of the above-named material witness  
 24 and surety, in the sum of \$5,000 pursuant to the terms of the above-named material witness's bond  
 25 conditions, a copy of which is attached hereto as Exhibit 1.

26 //  
 27 //  
 28 //  
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The aforesaid bond was executed by material witness MARIA HURTADO-ZABAleta and surety JESUS C. AGUILAR, on or about February 7, 2008, in the sum of \$5,000, conditioned upon the material witness's appearance as set forth in said bond. The material witness, MARIA HURTADO-ZABAleta, was released on the bond on February 7, 2008. The material witness, MARIA HURTADO-ZABAleta, failed to surrender to immigration authorities as ordered.

6 The United States also requests the Court to issue a no bail bench warrant for the arrest of the  
7 material witness, MARIA HURTADO-ZABAleta.

8 This motion is based upon the pleadings, records, and proceedings in this cause, together with  
9 these motion papers.

10 | DATED: June 26, 2008.

Respectfully submitted,  
Karen P. Hewitt  
United States Attorney

s/Peter J. Mazza  
Peter J. Mazza  
Assistant United States Attorney  
Attorneys for Plaintiff,  
United States of America

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, ) Case No. 08-CR-0326-DMS  
Plaintiff, )  
v. )  
RAFAEL ALONZO, )  
Defendant. )  
CERTIFICATE OF SERVICE

**IT IS HEREBY CERTIFIED THAT:**

I, Peter J. Mazza, am a citizen of the United States and am at least eighteen years of age.  
My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of the **Notice of Motion and Motion to Forfeit Bail** on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

1. Oliver P. Cleary [opcleary@pacbell.net](mailto:opcleary@pacbell.net)
  2. Reza Keramati [rabrera@emlslaw.com](mailto:rabrera@emlslaw.com)

I hereby certify that I have caused to be mailed the foregoing, by the United States Postal Service, to the following non-ECF participants on this case:

- 1. Maria Hurtado-Zabaleta**  
**1209 Bunn Avenue**  
**Wilmington, CA 90744**
  - 2. Jesus C. Aguilar**  
**1209 Bunn Avenue**  
**Wilmington, CA 90744**

The last known address, at which place there is delivery service of mail from the United States Postal Service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on June 26, 2008.

s/ Peter J. Mazza